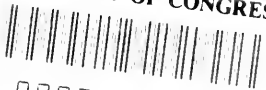


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REPORT

ON THE

SETTLEMENT OF WARWICK, 1642:

AND THE

Seal of the R. I. Historical Society.

BY

WILLIAM D. ELY,

Chairman.

REPRINTED FROM
PROCEEDINGS OF THE SOCIETY.

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REPORT

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SETTLEMENT OF WARWICK, 1642:

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SEAL OF THE R. I. HISTORICAL SOCIETY.

As our measurements of space and quantity are but approximations to absolute truth, so it is with those of time. The Julian Calendar, or Old Style, dating from about forty-five years before Christ, is avowedly incorrect, though still used by several prominent nations of the world.

The Gregorian year, or New Style, as reformed by Gregory XIII., merely minimizes the errors of "Old Style" and is but a close approximation to time which is truly true, while with gross inconsistency it retains the Latin numerals in the names of the seventh, eighth, ninth and tenth months of "Old Style," to designate, erroneously, what are now the ninth, tenth,

eleventh and twelfth months of the year. So, too, our revered "Christian Era," not invented by Dionysius Exiguus till about five hundred and thirty years after the death of our Lord, and not much used till it received the sanction of the venerable Bede as late as the eighth century, is acknowledged by eminent authority to be four years in error as to the date of Christ's birth, its assumed starting point.*

So, too, the time of the landing of the Pilgrims still furnishes occasion for discussion, and though most agree to its celebration on the 22d of December, the descendants of Pilgrims and Puritans seem unable to settle, beyond question, its true and real date.

And even as to the exact date of the original charter of Rhode Island, there was a difference of opinion among various writers, until Arnold, more than two hundred years after it was granted, ascertained from the official manuscripts in the State Paper Office in London, that its true date was the 14th of March, 1643.†

In view of such facts and of the multitude of errors

* Modern authority places the actual date of the birth of Christ, on Friday, April 5, B. C. 4. Townsend's "Dictionary of Dates," 53.

† Hist. R. I., I., 114.

in dates, from writing, printing, transcribing and reprinting figures, which meet us on every hand where we look for exact statements, an historical society may admit the possibility of error in any recognized date. It may even question the time of its own birth, and allow a grave inquiry as to the truth or reasonableness of any and every device on its corporate seal.

In this regard, the question has been recently raised whether "Shawomet, 1642," is a proper or truthful device for this Society's seal.

This question, submitted to your committee, is one to which, with some care and examination of authorities and records within their reach, they have directed their attention, but the paucity of records and of clear statements, and the meagre history of the transactions of the first few years of the settlements at Providence and Warwick must be their apology for treating in what may seem a somewhat desultory manner, a question whose satisfactory solution depends so much on the course of events in Massachusetts and Rhode Island immediately preceding and following the purchase of Shawomet, and on the doings of a few

weeks, nearly two centuries and a half ago, in the daily life of Samuel Gorton and John Greene.

The records of the Society as to the adoption of the seal and the action of its "Board of Trustees" in all matters relating to the seal, may be briefly stated as follows :

On the 27th of May, 1831, the Society appointed Joseph L. Tillinghast, Albert Gorton Greene, and Thomas H. Webb, a committee to procure a suitable seal to be cut for the Society, a device for which was submitted to "the Board."

July 5th, 1831, the committee reported that they "had engaged Mr. W. D. Terry, of Providence, to cut the seal, which is in a state of forwardness." July 19th, 1831, the seal was reported complete. Subsequently, the Board and the Society passed a resolution formally adopting it as the common seal of the Society, and gave the device. They also reported that the design and device for the seal originated with Albert Gorton Greene, Esq.

A description of the seal gives the design and device as an equilateral triangle within a circle, on the several sides of which are the following inscriptions,

viz.: On the base, "Mooshassuck, 1636"; on the right side, "Aquidneck, 1638"; on the left side, "Shawomet, 1642." Within the triangle is a "foul anchor." Around the circle, within raised bands, is the name of the Society with the figures "1822," the year in which it was founded.

As the records, however, are silent as to the purport and significance of the several devices, your committee have been obliged to look for their probable origin and import to the main facts which appear in the founding of the Colony and the State, while giving some degree of consideration to special facts and dates which must have been impressed on the mind of Albert Gorton Greene, from his antiquarian tastes and relationship to John Greene, one of the first six settlers, as well as one of the thirteen original proprietors of Providence,* and one of the first settlers of Warwick.

From this general view of the seal, it seems very evident,—

First, that the central emblem, the anchor, was taken from the State arms, to indicate the relation of the Society to the State.

* Colonial Records of R. I., 20, 21.

Second, that the triangle was as evidently adopted to keep in memory the three-fold origin of the Colony and also of the State, a unit formed from that trinity of independent settlements established and developed at Providence, on the island of Rhode Island, and at Warwick,— names, each of which suggests a history of its own, and which at the time the Society's seal was adopted, had been in use for nearly two hundred years to designate those three principal historical and geographical divisions of this Commonwealth.

Third, that the Indian names adopted on the seal, as another element of the device, were intended to designate these three original divisions. In respect to them, the Indian nomenclature was happily chosen (as it would doubtless be again, were the question submitted to the Society to-day), Indian names being less common-place, falling on the ear not only with the more striking sound of a foreign tongue, but also carrying with them the prestige of an unknown, if not unlimited antiquity.

To Providence, the northern division, was given the name "Mooshassuck," that of the river on whose banks the settlement of Roger Williams was made.

To the settlement on the island of Rhode Island, the southern division, was given the name of "Aquidneck," the original name of the island itself.*

To Warwick, the western division, was given the name "Shawomet," the name of a sachem-wick in that division of the State, the most conspicuous of all, from the character and conduct of its settlers, as well as the nucleus of that broad township of multitudinous villages, which the devotion of those settlers preserved to the Colony and to the State.

In fact, from the time of the first charter,† Shawomet was synonymous with Warwick, the two names being used interchangeably both by the men of Warwick and their enemies of "the Bay." But at the time the Society adopted its seal, nearly two centuries afterwards, Shawomet had in the light of history become a name not only memorable, but consecrated by the heroism, the sufferings, and the christian patience of Samuel Gorton and his companions.

This small but indomitable band, with the laws of

* The name of Rhode Island, in place of Aquidneck, adopted 1644. R. I. Col. Rec., I., 127.

† March 14, 1643.

God in one hand and the laws of England in the other, withstood all the efforts of the Government of Massachusetts Bay, by soldiers and savages, by prisons and fetters and worse than inquisitorial cruelties, to force on them a Puritan hierarchy and a foreign jurisdiction, each as merciless in its tyranny as it was regardless of law.*

Desperate as the contest seemed, Gorton and his companions triumphed at last. Rhode Island owes their memory a heavy debt. Never were men's motives so aspersed, their names so unjustly branded with infamy, their characters so foully traduced, and this not for a time merely, but from age to age; and we may be excused for saying, that in the history of New England can scarcely be found a more dramatic scene than the trial of Gorton before the assembled magistrates and elders of "the Bay," when, guiltless

* "For ten years after the settlement of Massachusetts Bay, the clergy and their aristocratic allies refused either to recognize the Common Law, or to enact a Code."

"From the outset, lawyers were excluded from practice, so the magistrates were nothing but common politicians who were nominated by the priests."

"The assembled elders, acting in their advisory capacity, constituted supreme tribunal of last resort, wholly superior to carnal precedent and capable of evolving whatever decrees they deemed expedient from the depths of their consciousness.— See Gorton's case. Winthrop, II., 146." — Adams' "Emancipation of Massachusetts," 289-291.

of any illegal act and a betrayed prisoner of war,* he is first ordered on peril of his life, to answer *within fifteen minutes*† in writing over his own hand, to the satisfaction of his enemies, four most obscure and crafty questions‡ of their theology, contrived (as those of the Pharisees to our Saviour,) “that they might entangle him in his talk,” and thus compass his death.

For Miantonomi, Chief of the Narragansetts, having been disposed of in September, by what Arnold calls a “clerico-judicial murder,” § the chance offered to “the Bay” of securing absolute control of the entire Narragansett country, through their allies Pomham

* R. I. Hist. Soc. Coll., II., 115, 120, 203.

† R. I. Hist. Soc. Coll., II., 126.

‡ “The questions,” writes Gorton, “were these that here follow, not a word varying in any one of them:”

“1. Whether the Fathers who died before Christ was born of the Virgin Mary, were justified, and saved only by the blood which he shed, and the death which he suffered after his incarnation?”

“2. Whether the only price of our redemption were not the death of Christ upon the cross, with the rest of his sufferings and obedience in the time of his life here, after he was born of the Virgin Mary?”

“3. Who is that God whom he thinks we serve?”

“4. What he means when he saith, We worship the star of our God Remphan, Chion, Moloch?” R. I. Hist. Soc. Coll., II., 125 6.

§ Hist. R. I., I., 117.

and Sacononoco,* by a similar dispatch of Gorton and his companions in October, was too tempting for them to forego. Apparently, as Winthrop previously expressed it, in reference to their motives and aims in that direction, "they thought it not wisdom to let it slip." †

The plot, however, failed. As Gorton says: "When by all their examinations in Court, interrogatories in prison, and public preaching they could find nothing against us for the transgression of any of their laws, they then proceeded to cast a lot for our lives, putting it to the major vote of the Court whether we should

* In a letter to the Massachusetts, Gorton pictures with some humor these two petty renegade sachems, its allies:

"Indeed, *Pomham* is an *aspiring* person, as becomes a prince of his profession,—for having crept into one of our neighbor's houses (in the absence of the people) and feloniously rifled the same, he was taken coming out again at the chimney-top."

"*Sacononoco*, also, hath entered in like manner into one of our houses, with divers of his companions, and, breaking open a chest, did steal out divers parcels of goods."—R. I. Hist. Soc. Coll., II., 267.

The same letter says: "Mr. Winthrop and his co-partner Parker may not think to lay our purchased plantation [Warwick] to their island [Prudence] so near adjoining, for they come too late in that point,—though Benedict [Arnold] hath reported that Miantonomi, one of the sachems of whom we bought it, should lose his head for selling his right thereof to us."

"As also a minister affirmed, that Mr. Winthrop should say to him that we should either be subjected unto you, or else removed hence, though it should cost blood,"—R. I. Hist. Soc. Coll., II., 265.

† Savage's Winthrop, II., 102.

live or die; which was so ordered by the providence of God, that two votes carried it on our side.”*

Yet, though “the Governor [Winthrop] told Gorton that *they were one with him* in those answers,” † he and his companions were imprisoned at hard labor, “in fetters and irons,” through the rest of the autumn and a long winter,—“as blasphemous enemies to the true religion of our Lord Jesus Christ and all his holy ordinances, and also to all civil authority among the people of God, and particularly in this jurisdiction.”‡

* Mr. Savage says, “three of the magistrates rejected the *horrible judgment* of the Elders that the [alleged] offences deserved death.”—Savage’s Winthrop, II., 177.

† R. I. Hist. Soc. Coll., II., 132-4.

‡ R. I. Hist. Soc. Coll. II., 134, 5, 6, 7.

Chief Justice Story says: “The arm of the civil government was constantly employed in support of the denunciations of the Church: and without its *forms*, the Inquisition existed in *substance*, with a full share of its terrors and violence.”—Story’s Miscellanies, 66.

Mr. Charles Deane, in his Memoir of Samuel Gorton, while stigmatizing “the whole conduct of the Massachusetts towards Gorton as *atrocious*,” erroneously states that Gorton was released in January. On the contrary, even the order of the General Court for his release was not dated till “the 7th day of the first month [March] 1643 or 1644.”—Some Notices of Samuel Gorton, 17.

Gorton was brought to Boston as a prisoner of war, Oct. 13, 1643. Savage’s Winth., II., 171. “A great triumph,” he says, “for a whole country [by three officers and forty trained soldiers with Pomham and his savages] to carry away eleven men and that upon fair composition also, if they had kept touch with us, for one of us was dead before by hardship and but ten of us that handled arms.”—R. I. Hist. Soc. Coll., II., 119.

He was sentenced November 3, 1643; released March 7, 1643-4.

Winthrop’s cruel order (notwithstanding the fourteen days allowed by the

Such rigor shocked even the Presbyterian Baillie,* but as a son of Massachusetts has said,—“the clergy held the State within their own grasp, and shrank from no deed of blood to guard the interests of their order.”†

Scattered in the different towns of the Massachusetts, the knowledge of their sufferings and their purity of character ‡ could not be entirely hid, till at last, public opinion and a sense of danger to their own power, forced the Puritan dynasty to set them free. §

General Court), for his expulsion from the town of Boston—“*before noon this day*”—is dated “the 10th of the first month [March] 1643.”—R. I. Hist. Soc. Coll., II., 148-9.

* Letters II., 17, 18.

† Adams’ “Emancipation of Massachusetts,” 40-41.

The manly utterances of Savage, Deane and Adams stand in refreshing contrast to the Jesuitical apologies of Palfrey, for not only the cruelty but all the illegality and hypocrisy, which he evidently recognizes, in the proceedings against Gorton.

‡ “And whereas you say, I am become a sordid man in my life; I dare be so bold as to lay my conversation among men to the rules of humanity, with any minister among you, in all the passages of my life which God hath brought me through from my youth unto this day, that it has been as comely and innocent as his.”—Gorton to Nathaniel Morton, R. I. Hist. Soc. Coll., II., 247.

“I have been silent to cover other men’s shame, and not my own.”

§ It should be a crown, yea, a diadem upon my grave, if the *truth* in more public or more private agitation, were but in prose and not in poetrie, as it was acted by me in all the places wherein you seek to blemish me.”—Letter to Nathaniel Morton, R. I. Hist. Tracts, No. XVII., 56.

§ Savage’s Winth., II., 178-9.

Then Gorton, Greene and Holden made their strong and solemn appeal to the State of Old England. They procured at the same time and also bore with them to England, a formal deed of submission from the powerful Narragansett Tribe, of themselves and their whole territory to King Charles.*

The justice of their claims could not be denied. The laws and the throne of England asserted their supremacy. England upheld both the men of Shawomet and the Narragansetts against the usurped jurisdiction of "the Bay," which in her humiliation was forced to call upon the Commissioners of the United

* R. I. Hist. Soc. Coll., II., 158-60.

That acute historian, Palfrey, recognizes the deep significance of this transaction. He says:

"The next step showed their *resolution*, their *capacity* for business, and that *power* of theirs which it had been thought so important to subdue." "They succeeded in concluding a treaty with Canonicus, Mixan and Pessicus to no less effect than a complete cession of the Narragansett people and territory, unto the protection, care and government of that worthy and royal prince, Charles, King of Great Britain and Ireland, his heirs and successors forever."

They then notified the authorities of Massachusetts of this cession, and "threatened them with the vengeance of the King and of the Mohawks should they presume to interfere." Palfrey's Hist. N. E., II., 136-7.

By this transaction, completed within forty days after their release from prison, they gave the death-blow to the usurpation of Massachusetts. She struggled against it for years; through the changes of the Civil War—the Commonwealth and the Restoration—sent in her soldiers,—annexed the country, by vote, to the County of Suffolk,—but the coveted territory she never secured.

Colonies for aid against "opposition from Warwick."**

Thus Gorton's successful appeal and the stern rebuke it brought to the assumption and tyranny of the Puritan Hierarchy, with the adoption of the Narragansetts by King Charles as wards and subjects of the State, preserved in a momentous degree the whole Colony of Rhode Island and Providence Plantations, and led not merely to its final emancipation from the usurpations of Massachusetts Bay, but to its eventual establishment as an independent State.

To the theocracy of the Bay, the order of May 15, 1646, by the Governor-in-Chief, Lord High Admiral and Commissioners for Foreign Plantations, came like a judgment call.† It declared, with no uncertain sound,—“ We find the tract of land called Narragansett Bay *wholly without* the bounds of the Massachusetts Patent ”; — and we —“ require you to permit and suffer the petitioners and all the late inhabitants of Narragansett Bay, with their families and all such as shall hereafter join with them, freely and quietly to live and plant upon Shawomet,” etc.,—“ without

* R. I. Hist. Soc. Coll., II., 221.

† R. I. Hist. Soc. Coll., II., 196-7.

extending your jurisdiction to any part thereof, or otherwise disquieting in their consciences, or civil peace.”

“We do also require, that you do suffer the said Mr. Gorton, Mr. Holden, Mr. Greene and their company with their goods and necessaries to pass through any part of that territory which is under your jurisdiction, towards said tract of land without molestation, any former sentence of expulsion, or otherwise, notwithstanding.”

But to return to our immediate subject: the names on the seal being thus accounted for, it is next in order to consider the question of the dates. With regard to these, while records are infrequent, and dates often obscure even where records are found, it appears to your committee that “the Board” intended in fixing the dates, to specify the earliest ascertained year of a definite purchase by the English for settlement, or of the actual establishment of a permanent community or settlement, within each of the three several divisions of the colony, that is, Providence, Rhode Island and Warwick.

As to Providence, they adopted the unquestioned

date of Roger Williams' settlement there, in 1636, "two years," as he says, "before a deed was given." *

As to Rhode Island, they adopted the date of 1638, the year in which an actual settlement was made on the island at Pocasset, now Portsmouth, pursuant to the compact between the settlers there, signed previously at Providence. †

As to Warwick, they adopted the date of 1642, the recorded date of John Greene's purchase, and of Gorton's, Greene's and their companions' purchase, within the limits of Warwick. ‡ To this date your attention is especially directed, that you may decide whether it is right or wrong.

When, then, was the earliest purchase for a settlement, or first actual settlement, within the limits of historic Warwick, made? — meaning by Warwick, the territory northerly of Potowomut River and southerly and outside of all that debatable ground (claimed as and called Providence), involved in the Providence

* Deed to Roger Williams, March 24, 1637. Staples' Annals, 26.

† Col. Rec., I., 52; Arnold, Hist. R. I., I., 70, 71; Deed of R. I., March 24, 1637.

‡ R. I. Hist. Soc. Coll., II., 253-4.

purchase of "the meadows up stream without limits" on the Pawtuxet River.*

Here, happily, on the territory known as, and called Warwick, for nigh two centuries and a half, nothing seems better established than that the first purchase by the English in these parts was made by John Greene, to whom was deeded on the first day of October, 1642, the tract of land called Occupessuatuxet, by Miantonomi, Chief Sachem of the Narragansetts, and Sockononoco, the local sachem of Pawtuxet.

That he bought it for a settlement, a plantation and a home, seems abundantly evident, for Judge Staples states that on the 25th of September, 1644, he was actually residing there.† How much earlier he had established himself on the land does not appear. But he and his family held it as a home for more than a hundred and forty years, and there, doubtless, he himself was, as certainly successive generations of his descendants were, laid to rest.

This John Greene, an English surgeon, was the founder of a family than which none has been more

* Staples' Annals of Providence, 26, 27.

† R. I. Hist. Soc. Coll., 11., 89, Note.

prominent or more honored in the annals of the State. The mention of a few names will suffice. It gave to the Colony two governors, and to the State a lieutenant-governor (all named William Greene),—to this Historical Society two presidents, Albert Gorton Greene and Samuel Greene Arnold,—to the army of the Revolution Colonel Christopher Greene and Major-General Nathanael Greene,— and to the United States forces in the Rebellion, Major-General George Sears Greene and his two gallant sons. In this connection it is well worthy of notice that all these, without exception, were also lineal descendants of Samuel Gorton.

Now Albert Gorton Greene, who designed the seal of the Society, a trustee from its foundation, and vice-president and president for twenty-five years, being a lineal descendant of this John Greene as well as of Samuel Gorton, and this deed of October 1, 1642, having been preserved, it is morally certain that it was neither overlooked nor disregarded by this most active and influential member of "the Board," and that he was perfectly familiar with its bounds and date.

And it appears to your committee that these well established facts attending John Greene's purchase, were of themselves a sufficient warrant for the inscription of the date of 1642 upon the seal of the Society, as the earliest date in which "Shawomet, *alias* Warwick,"* first began to pass permanently under English control.

But further than all this, the same John Greene, with Samuel Gorton and others, became only three months later,—viz.: on the 12th of January, 1642, as the deed shows, a purchaser of the sachem-wick Shawomet, or what is commonly called "Old Warwick." This is the record; this, too, was well-known to the designer of the seal, and there is reason to believe that both deeds were a part of one plan, that of October 1st being only a preliminary acquisition in prospect of a larger settlement on the more extensive domain, a negotiation for which would naturally occupy more time. With these two records before us, the date of 1642 on each, and the undoubted fact that settlement followed close upon, if it did not actually ante-date each deed, what is there to invalidate the

* R. I. Hist. Soc. Coll., II., 217.

device "1642" upon the seal, and on what ground could it be pronounced wrong? The only ground would seem to be:

1st. That by "Shawomet," the Society limited itself to consideration of the Gorton purchase only, which your committee, for reasons already stated, are assured was not at all their view.

2d. That the date of the Gorton deed (January 12, 1642), is a date of "Old Style."

Admitting that the date of the Gorton deed is in Old Style, your committee is of opinion that it should not be rejected on that account, for the reason that if the John Greene deed of the previous October, which is without any objection as to the "Style," were thrown out of consideration, the seal date of 1642, as the date of the limited Shawomet purchase, is in their judgment valid and properly used.

The deed to Samuel Gorton and others specifies "January 12th, Anno Domini, 1642," as the day and year on which Miantonomi set his hand thereto, and this without reference to, or recognition of any "Style," old or new, or the possibility of any change. The deed is dated in accordance with both English custom

and English law, as it then was and continued to be for more than a hundred years afterward, the change to New Style not being authorized in England or in her colonies till 1751, nor carried into effect till 1752,* a hundred and ten years after the deed was made, when more than three generations of the Greenes and Gortons had passed away.

Beyond reasonable question the legal date, as well as the legal record of the Shawomet purchase, was January, 1642. The legal year 1643, did not commence, according to the then mode of reckoning with all English people, till the 25th of the following March, so that the action of the Society in affixing to their seal the date 1642, appears to your committee to have been perfectly competent and without impeachment, even if it were necessary, as it is not, to construe that date as referring to the settlement of the sachem-wick Shawomet alone.

The propriety and legality of this construction and use of dates, is curiously confirmed by a contemporary

* Act 24, George II., C. 23, 1751. Townsend's Manual of Dates, 723-4. Bailey's Dictionary, London, 1749. *In verb.*

January 1, 1752, was the first day of the first English year of New Style.
— Act 24, George II., C. 23, 1751.

illustration, in the conspicuous fact that the Ordinance of the English Parliament creating Robert, Earl of Warwick, Governor-in-Chief of all the islands and plantations of his majesty's subjects within or on the coasts of America, together with a body of Commissioners to assist him therein, bears date and was passed "November 2d, Anno Domini 1643,"* while the Charter to Providence Plantations made four months afterward, and, as they recite, "by the authority of the said Ordinance of Lords and Commons," † bears date March 14th, "in the year of our Lord God 1643."‡ However inconsistent in modern view this (to us) inverted succession of dates may appear, it had no such aspect to the men of those early days, and involves no contradiction in fact.

Indeed, as a matter of legal accuracy, every date of a legal, civil, or ecclesiastical character, preceding the change of Style in 1752, and as far back as the fourteenth century, should be in Old Style.

The statement of the double date (that is of both Styles) between 1st of January and 25th of March,

* R. I. Hist. Soc. Coll., II., 250-3.

† Bartlett's Col. Records, I., 143 6.

‡ R. I. Hist. Soc. Coll., II., 259-62.

has no authority except as a convenient note or aid to memory, for the benefit of modern readers, in order to prevent confusion.*

It is important, however, to go one step further in the examination of the question before us. Not a month had elapsed after the deed to John Greene was given, when the Massachusetts sent a warrant unto Gorton, Greene, and their companions, to command appearance at their courts, and threatening violence unless it were obeyed.† The effect of this warrant or summons, entitled “Massachusetts to our Neighbors of Providence,” and bearing date, October 28th, 1642, as well as the reply to it, and the concomitant events, we must now consider.

This summons, sent by Governor Winthrop (through the hands of his agent, William Arnold), was received by Gorton and his friends, to use Gorton’s own words, “before we planted upon that tract of land called Shawomet.” ‡

* In the seventh century and for several centuries later, the year began in England on Christmas day, but in the twelfth century the Anglican Church commenced the year on Annunciation, or Lady-Day, March 25th, and this continued until the adoption of the New Style.

† R. I. Hist. Soc. Coll., II., 52-3.

‡ R. I. Hist. Soc. Coll., II., 53.

They had not, therefore, left their Providence-Pawtuxet homes (near Roger Williams Park), as late as the close of October, 1642.

But this summons, following so soon the purchase of John Greene, presaged, as Gorton thought and as he was advised by others, a coming struggle by the Massachusetts "to take in all the Narragansett Bay under their government and jurisdiction." The impression it made and the course of action adopted under this threatening prospect, we must look to Gorton to explain.

He says: "This warrant being delivered to us, in the name of 'the Massachusetts,'* we took into serious consideration, having former experience abundantly, of their unkind and inhumane dealing with us, yea towards our wives, and children, when ourselves were sometimes in banishments and sometimes in prison and irons (by them) before.† We thought it meet, for the preservation of our peace, together with that

* R. I. Hist. Soc. Coll., II., 54-5.

† "The absorption of sacerdotal, political and juridical functions by a single class produces an arbitrary despotism; and before judges greedy of earthly dominion, flushed by a sense of power, unrestrained by rules of law or evidence, and unopposed by a resolute and courageous bar, trials must become little more than conventional forms, precursors of predetermined punishments"—Adams' "Emancipation of Massachusetts," 292.

compassion we had of our wives and little ones, to leave our houses and the rest of our labors lying near unto those their pretended subjects, whom we saw maliciously bent, and to remove ourselves and families further off from the Massachusetts, and such their coadjutors being then amongst us. For we saw that they did not only endeavor to take away our livelihood, but intended to take away our lives also, in case they could find a way to satisfy the country in doing of such an act and execution, for we never had accusation brought in against us, but what rose from the magistrates and the ministers; * for we walked so as to do no man wrong. only justified the cause of our religion, as we had learned and received the principles thereof before we went amongst them; as also the Laws and Government of this Kingdom of England, unto which we ever willingly acknowledged ourselves to be loyal subjects; and therefore could not suffer ourselves to be entrenched upon by our *fellow-subjects*,

* Dr. Palfrey says: "The Clergy maintained their rule with great sagacity and energy; though excluded from secular affairs, they constituted in some sort a separate estate, which, unelected,—a bench above and irresponsible to law,—was summoned to decide in all cases of importance, involving the highest questions of liberty and life itself."

further than the "Laws of our King and State do allow." *

Gorton continues: "We removed ourselves into another part of the Narragansett Bay, further from the Massachusetts, and where none of the English nor other nations had anything to do, only Indians, the true natives, of whom we bought a parcel of land, called Shawomet, not only of Miantonomi chief Sachem, or Prince of those parts of the Country, but also with the free consent of the inhabitants of the place," †— and, "Plainly perceiving that the drift of the Massachusetts, and those joined with them, was not only to take the whole country of the English plantations into their jurisdiction, but also to establish what way of religion themselves thought fit, to the taking away not only of goods, but lives also, of such as were otherwise minded, we made answer unto the writing they had sent unto us, on this wise:— which answer was made *upon our removal* from Mooshawset, otherwise called Providence, to Shawomet." ‡

* R. I. Hist. Soc. Coll., II., 54-5.

† R. I. Hist. Soc. Coll., II., 59-60.

‡ R. I. Hist. Soc. Coll., II., 60.

This answer is dated, "Mooshawset, November the 20, 1642," and that there might be no miscarriage or delay, was delivered into the hands of Governor Winthrop by a special messenger.* When carefully examined it sheds much light on the Shawomet purchase and the proceedings preliminary thereto. In reply to the objections urged by "the Bay" against the purchase of Indian lands, he says: "To our neighbors of the Massachusetts" †—"In that you tell us we offer wrong [to the natives] by a pretended purchase, you are as much mistaken in the purchase as in the wrong, for it is *right* that we are about to

* Savage's Winthrop, II., 174.

† R. I. Hist. Soc. Coll., II., 60.

Elsewhere he says: "Our *Countrymen*, for we cannot but call you so, though we find your carriage to be so far worse than these Indians."—R. I. Hist. Soc. Coll., II., 84.

Even their own brethren, the founders of Connecticut, who had gone 100 miles into the wilderness from them, experienced their tyranny. Roger Williams writes:—"That heavenly man, Mr. Haynes, Governor of Connecticut, though he pronounced the sentence of my long banishment against me, at Cambridge, then Newtown, yet said to me, in his own house at Hartford, being then in some difference with the Bay;—I think Mr. Williams I must now confess to you that the most wise God hath provided and cut out this part of his world for a refuge and receptacle for all sorts of consciences." "I am now under a cloud and my brother Hooker, with the Bay, as you have been; we have removed from them thus far, and yet they are not satisfied"—Letters of Roger Williams, Narr. Club, Vol. VI., 344-5.

Dr. Palfrey suggests, as a cause of this dissatisfaction, that "The Connecticut settlers did not adopt, in their own settlement, that radical feature of the social system of Massachusetts which founded the civil franchise on church-membership."—Palfrey, Hist. N. E., I., 447.

do. Neither is our purchase a pretence, but *preccedential*," etc. (*i. e.*, they had an agreement for the lands *preccedent* to any formal deed). He then repudiates the Massachusetts' claim of a right in their clients of Pawtuxet "by conquest," or "four years' possession," "their possession being a mere intrusion, as all the natives know," for "the true owners were never yet subdued." He then explains the position more fully, saying, "But we profess right [*i. e.*, title] held in no such interest, but according to the ground of Covenant only known in its nature in the parties twixt whom it is plight, in the possessor and the possessed, arising from their accord and concurrency together with their distinct, harmonical, reciprocal and joint properties and operations of them both." "Such is the tenure that we hold, and maintain it before men and angels, and oppose [*i. e.*, defend] it against men and devils."*

This answer, as stated, bears date November 20th, 1642, and seems clearly to indicate, that though the formal deed of conveyance had not then passed, the territory to be deeded, the principal terms, covenants and conditions of the purchase, had already been set-

* R. I. Hist. Soc. Coll., II., 65-66.

bled, and the right of use and possession acquired ; and it confirms the supposition that the purchase of Occupessuatuxet by John Greene was but a first step towards the principal purchase of Shawomet by Gorton and Greene with their companions.

These views are confirmed by the analogous statements and proceedings of Roger Williams as to his own purchase, who says : * “ I, in the years 1634 and 1635, had several treaties with Conanicusse & Miantonome, the Chief Sachems of the Narragansetts, and in the end, purchased of them the lands and meadows upon the two fresh rivers, called Mooshassick and Wanasquatucket. The two Sachems having by a Deed, under their hands, dated March 24th 1637, † two years after the sale thereof, established and confirmed the bounds of these lands from the river and fields of Pawtuckqut and the great hill of Neotaconconitt on the North West, and the town of Mashapauge on the West,” etc., etc. “ I, having made a covenant of peaceable neighborhood with all the Sachems and natives around about us, and having a sense of God’s

* Staples’ Annals, 30, 31.

† Same date with the Deed of Aquidneck.

merciful providence unto me in my distress, called the place Providence.”

This deed of Canonicus and Miantonomi to Roger Williams bearing date 24th of March, 1637, the last day of the year, Staples says, “is the *earliest* conveyance in the records of Providence,” and that it is probable the sale two years previous, to Roger Williams was a *verbal* one,— and that this deed of 24th March, 1637, “is a confirmation of the precedent grant, or rather a declaration of the bounds of the lands conveyed by it.”*

Now Gorton though bold and persistent, with all the courage of his convictions, and awake to the coming conflict with “the Bay,” was a man of peace, a sincere follower of his Divine Master, and did not hesitate to sacrifice at once his house and property on the Pawtuxet purchase, to gain that peace and independence which were to him more dear.† His purpose was clear, his plans were made, and he doubtless improved the

* Annals of Providence, 26-7.

† “In England, through importunity, I was persuaded to speak the Word of God publicly in divers and eminent places as any were then in London.” “I was invited to speak in the presence of such as had the title of Excellency [Cromwell (1)] and lovingly embraced, wherever I came, in the Word uttered, with the most eminent Christians in the place, etc., etc.” Gorton’s Letter to Nathaniel Morton. R. I. Hist. Soc. Coll., II., 147.

(1) Carlyle’s Cromwell, I., 477, 488, etc.

time between the summons and his reply to close any unsettled question in his covenants and treaty with Miantonomi. Then, alive to the power which possession gives, and urged by the approach of winter, he dispatches his "Reply," to Governor Winthrop, declaring their rightful claims and repudiating any and all jurisdiction of the Massachusetts. At the same time he does not delay a moment in the work of pushing forward with his companions, and taking actual possession; planting themselves in a wilderness in which no white man or subject of the Massachusetts stood, and fortifying their claims in the January following by a formal deed, which implies previous possession, in the fact that it was "enacted upon the above-said parcell of land," as well as from other terms of the conveyance.* That Gorton and his company had thus taken possession of Shawomet some time before the date of the deed, is made not merely probable by this declaration and the facts and circumstances referred to, but must be inferred from his formal statement, "We made answer unto the writing

* The language of Miantonomi is — "I say I have sold it and possession of it *given* unto the men aforesaid," — R. I. Hist. Soc. Coll., II., 253-4.

they had sent unto us, on this wise; which answer was made *upon our removal* from Mooshawset, otherwise called Providence, to 'Shawomet'; and the time of this answer is distinctly given as "November the 20th, 1642."*

Not only is this language explicit as to this time of their removal, but he also places it in direct contrast with his previous statement that the warrant from Massachusetts of 28 September, 1642, came "*before* we planted upon that tract of land called 'Shawomet,'"† and with his subsequent statement, that the warrant of September 12th, 1643, was the first "*after* our removal unto and planting upon our land at Shawomet."‡

He thus gives a time *before*, a time *after* and the time *upon which* the removal to Shawomet took place, and this not in casual statements, but as specific points in his arraignment of the Government of Massachusetts Bay,—“a more particular and full relation,” as he calls it, in his dedication to the Earl of Warwick,

* R. I. Hist. Soc. Coll., II., 60.

† R. I. Hist. Soc. Coll., II., 53.

‡ R. I. Hist. Soc., Coll. II., 95.

than could be embodied in his formal appeal to the Crown.*

The evidence thus seems quite clear, that Gorton and his company, in November, 1642, removed from the Pawtuxet purchase to Shawomet. The statement in each case is equally exact, and all have the accuracy and unquestioned truthfulness of Gorton for their support.†

The confidence of your Committee in these conclu-

* R. I. Hist. Soc. Coll., II., 25.

† Samuel Eddy, late Chief Justice of Rhode Island, and many years Secretary of State, says: "I have read, I believe, almost every word that is legible of the Record of this Colony from its first settlement till after the death of Gorton."

"From the first establishment of government [in R. I.,] he was almost constantly in office and during a long life there is no instance of record, to my knowledge, of any reproach or censure cast upon him."

"This can hardly be said of any other settler of the Colony of any standing."

"It was this fact that fixed my opinion of the general tenor of his conduct and the uprightness of his character."

"It would be a remarkable fact that a man should be an enemy to magistracy, to religion,—in short, a bad man,—and yet should constantly enjoy the confidence of his fellow-townsmen and receive the highest honors in their gift."

Savage's Winthrop, II., 70-71, Ed. 1853. R. I. Hist. Tracts, No. XVII., 5-8.

Thomas Durfee, Chief Justice of Rhode Island, says: "The list of the earlier judges includes, along with the names of many forgotten worthies, the historic names of Roger Williams, John Clarke, William Coddington, and Samuel Gorton."

R. I. Hist. Tracts, No. XVIII., 10.

Dr. George E. Ellis, while commending Gorton's "honest and noble independence," says: "His correspondence with John Winthrop, Jr., in his old age, as given in the Winthrop Papers, presents him in a most charming light."

sions is confirmed by the fact, that since the foregoing was written, they find that the late Chief Justice Brayton, in his "Defence of Gorton,"* fixes the termination of Gorton's residence at Pawtuxet, on the 20th of November, 1642, thus giving the same construction your Committee have given to Gorton's language. The reasonableness of the construction may be inferred from the fact that it was in each case wholly independent of the other.

Judge Brayton also says, "In the beginning of the winter of 1642-3, they took up their abode at Shawomet and prepared themselves for the *coming* winter, and before the expiration of sixty days received their conveyance from Miantonomi and set down upon their own purchased possession." These sixty days must have been reckoned between 13th of November, 1642, and 12th of January, 1642-3, following; and this statement, though somewhat incongruous in its use of the term "winter," would place their removal to Shawomet either the last part of November, or very early in December; at all events, within the year 1642.

In view, therefore, of the foregoing considerations,

* R. I. Hist. Tracts, No. XVII.

and of the main facts which may be briefly summed up as follows, viz.:

1st. That by the name Shawomet on the seal, was intended the whole of Warwick as representing the western division of the State,—

2d. That John Greene had taken Occupessuaxet, (in Warwick,) for a home and settlement by a formal deed as early as the first of October, 1642,—

3d. That “Old Style” being legal English Style, at the period in question, we are bound to accept the date of Gorton’s deed of the 12th of January, 1642, as a legal and unimpeachable date,— and

4th. That we have the written statement of Gorton himself, that the “Reply” to their “Neighbors of the Massachusetts,” of November 20, 1642, was made “upon the time of their removal to Shawomet,”—

your Committee are of the opinion, that, not only John Greene but also Samuel Gorton and his companions, became actual settlers within “Shawomet *alias* Warwick,”* in the year 1642, and that whether one holds to “Old Style” or to “New Style,” there is no good or sufficient reason to question the pro-

* R. I. Hist. Soc. Coll., II., 217.

priety or truthfulness of the devices or dates on the seal of the Society, or for advising or adopting any change therein.

All which is respectfully submitted.

WILLIAM D. ELY, }
JOHN A. HOWLAND, } *Committee.*

PROVIDENCE, October 1, 1887.

